

#11239646

REPORT OF THE

Florida Legislative
Investigation Committee

FEBRUARY, 1965

R. O. MITCHELL, *Chairman*

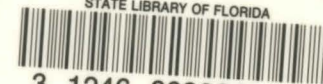
LEO C. JONES

ENS

GEORGE B. STALLINGS JR.
C. W. YOUNG

F323.3S
R611
1965

STATE LIBRARY OF FLORIDA



3 1246 00326441 5

REPORT OF THE

Florida Legislative
Investigation Committee

FEBRUARY, 1965

R. O. MITCHELL, *Chairman*

LEON C. JONES
WILLIAM E. OWENS

GEORGE B. STALLINGS JR.
C. W. YOUNG

April 20, 1965

The Honorable,
Speaker of the House of Representatives
President of the Senate
Members of the Florida Legislature
In Session Assembled at the Capitol
Tallahassee, Florida

Gentlemen:

Your Legislative Investigation Committee, in keeping with the mandate given it by the 1963 Legislature as set forth in Chapter 63-545, Laws of Florida, is pleased to present herewith a report of its activities, findings and legislative recommendations.

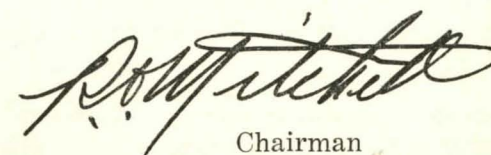
We believe this report assumes added significance with the realization that it was accomplished despite an extended illness of the chairman during a critical period of its investigations, and the untimely resignation of its full staff.

We are submitting also a separate and special report relating to events of early last summer and last spring at St. Augustine. This matter was within the scope of the Committee's interest and is pertinent to this Legislature by virtue of the utilization for the first time of Sections .021 and .022 of Chapter 14, Florida Statutes, which will be discarded, renewed or revised by action of this Session.

The mandate given the Committee caused it to delve into areas fraught with controversy and of a nature distasteful to many. We believe the reports now submitted reveal that we have faithfully and efficiently fulfilled our responsibilities. It should be noted that in all investigative efforts the development of legislation, resulting in the significant proposals advanced herein, has been our consistent guideline.

To the Committee's many cooperators, its consultants, and to the members of the Legislature who have been ever willing to judge its efforts on the factual record, we express our gratitude and appreciation.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. W. Fitchell", written in a cursive style.

Chairman

Preface

The Florida Legislative Investigation Committee was created by Chapter 64-545, Laws of Florida (Senate Bill No. 422, 1963 Session), and charged by that statute with the responsibility to make "as thorough an investigation as time permits of all organizations whose principles or activities include a course of conduct on the part of any person or group which would constitute violence, or a violation of the laws of the state, or would be inimical to the well being and orderly pursuit of their personal and business activities by the majority of the citizens of this state, as well as the extent of infiltration into agencies supported by state funds by practicing homosexuals, and the effect thereof on said agencies and the public, and the policies of various state agencies in dealing therewith."

This Committee was given possession of the files and equipment of a predecessor Committee, constituted by the 1961 Legislature. Until its formal organization in August, 1963, the Committee was served on a limited basis by the staff of the predecessor Committee.

A majority of the members of the Committee, to orient themselves to the responsibilities imposed on them by their assignment, traveled to Washington for conferences with officials of the Federal Bureau of Investigation and of the Congressional committees comparable in scope and nature to the Investigation Committee. These conversations served to reinforce the members' conviction that a need exists in Florida for a broadly empowered investigative arm of the Legislature.

A staff and counsel were then selected, and, as first order of business, detailed Rules of Procedure were drawn and adopted. This document provided clear guidelines for operation of the Committee, and spelled out clearly the rights and responsibilities of all who might be called before the Committee in the course of its inquiries.

The Committee next established liaison, through cooperation and coordination, with appropriate agencies of the state

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

and federal governments to assure that matters of an administrative or law enforcement nature arising from its investigations might promptly be placed in proper hands. During this biennium, the Committee enjoyed close and productive relationships with other state agencies and with all branches of law enforcement.

The value of these contacts cannot be overestimated. Information exchanged with active investigative agencies in every area of the state greatly expanded the ability of the Committee to fully probe subjects germane to its mandate, and saved it the necessity of maintaining a large and costly investigative staff.

The files of predecessor committees were reviewed, revised and updated, with pending matters more appropriate to immediate action than legislative correction promptly referred to local, state and federal agencies for consideration and action.

A fiscal policy was followed providing for close control of Committee funds. All members received monthly balance sheets and explanatory notes on expenditures during the period of staff operation. Members were further kept advised of Committee staff activities during that period by weekly staff reports reviewing the activities of employees and summarizing related materials of interest.

A comparison of the considerable productive activity reviewed on the following pages with the financial statement included in the Appendix, serves to emphasize how funds appropriated to the Committee were carefully accounted for, and wisely utilized.

The Committee expresses special appreciation to the Honorable Leo L. Foster, attorney, who served the Committee as its Chief Counsel, without compensation. His work in the development of the rules of procedure under which the Committee operated, and his assistance in drafting the legislation herein proposed, was particularly helpful.

Table of Contents

Sexual Behavior Act of 1965	1
Strengthening Teacher Certification Revocation Procedures	8
Civil Disobedience and Academic Freedom	10
The U. S. Rangers — Christian Youth Corps	21
Political Role of the Communist Party in the State of Florida	28

APPENDIX

Sexual Behavior Act	31
Academic Freedom Act	38
Teacher Certification Amendment	44
Communist Party Act	45
Interim Report of Committee (March, 1964)	48
Fingerprint Act	59
Report on The National States Rights Party	65
Financial Summary of Committee Operations	77

Sexual Behavior Act of 1965

The approach of the Committee in this biennium has been to determine the nature and extent of the various forms of sexual deviation of concern to the law, the problem these pose to the state, and the adequacy of existing laws to assure adequate attention to the problem and protection to the majority of the citizens of the state.

As a result, the Committee will recommend to the 1965 Legislature the Sexual Behavior Act drafted for the Committee by a blue ribbon panel of Floridians both concerned and well versed in the relationship of sexual behavior to the well being of our state. This Act is included in the Appendix to this report.

Although predecessors to this Committee had been charged with concern about homosexuality in Florida for a number of years, no serious legislative approach to the problem had been undertaken prior to this biennium.

Rather, concern had been given to the identification and apprehension of sexual deviates within state government. It was our position that such activities were best left in the hands of duly constituted law enforcement agencies and those segments of the state government having power to revoke licenses and certificates granted under authority of the state.

In this connection it is worthy of note, as an example of the tactics used by opponents of the Committee, that when a call was issued for the Teacher Certification Division of the State Department of Education to undertake detailed investigation of investigative leads in the Committee's files relating to more than 100 present or former teachers, two major newspapers in the state published a story by the Capitol Correspondent of one which flatly asserted without any attribution whatsoever, that "no such list exists" and that no such list of leads ever did exist.

Through the excellent cooperation of Superintendent of Public Instruction, Tom Bailey, and his staff, these investigative leads were all reviewed by proper authority and proved to be of such value that, in a majority of the cases, still-active teaching certificates were revoked, without contest, by the State Board of Education.

The initial findings of the Committee were published in March, 1964, in the report *Homosexuality and Citizenship in Florida*. This report was based on extensive research by the Committee's staff, numerous consultations with acknowledged experts in the field of sexual aberrations, and the findings reflected in the files of the predecessor committees. It included a carefully developed bibliography that was termed by one authority in the field the most complete and representative he had seen in one publication. It included also a full listing of homosexual terminology illustrative of the scope and nature of the problem.

The committee, recognizing the potential repugnance of such a report, adopted at a public meeting more than a month prior to its publication, a policy setting forth clear restrictions on its distribution. Nevertheless, upon publication, it became a cause celebre in the press, with the result that numerous misconceptions about it have become widely accepted as fact through repeated repetition by those who maliciously manufactured them. Some of these are:

(a) That the report was "banned" in Dade County or from the mails by postal officials.

This is false. The report has never been banned anywhere by anyone.

(b) That the report was being sold to young children, or anyone else seeking a copy.

False. Distribution has at all times been in accord with Committee policy.

(c) That distribution was halted as a result of the newspaper furor.

False. Of the 750 copies printed by the Committee, 742 have been distributed. The report has become an important

and valuable part of police training programs in at least eight major Florida cities, and is used by the Florida Law Enforcement Academy. The U. S. Civil Service Commission was so impressed with the factual basis and quality of the report that it secured copies for all personnel investigators in its employ in the southeastern region, and for its field offices across the nation.

Had the report been mimeographed, it would likely have never received more than passing attention. As it was, it is significant to note that although great hue and cry centered on its purple cover and illustrations, no word of substantive criticism was directed at its contents and conclusions. The fact is that the report was widely praised by officials, educators and researchers most conversant with the problem of sexual deviation as it relates to the current American social structure.

The only openly voiced contradiction of the Committee's conclusions came from Detective John Sorensen of the vice squad of the Dade Metropolitan Sheriff's Office. The Committee had said in its report that the "current and best estimate of active homosexuals in Florida is 60,000 individuals. Detective Sorensen, in a speech to the Coral Gables Rotary Club in August, 1964, called the rise of homosexuality in Dade County of "epidemic" proportions, and then, according to a newspaper account, "Sorensen said the number of practicing homosexuals may go even as high as 100,000 in Dade alone."

At about this time, an organization of national scope, The Anthenium Society, dedicated to the cause of deviation and to opposition of legislation restricting most forms of homosexual activity, was created in Dade County and chartered by the State of Florida as a non-profit corporation. This organization is even now vigorously lobbying against the legislation developed for the Committee in this field.

Another indicator of the rise of homosexuality in Florida is to be found in the several guides published in the United States to assist traveling deviates in making contact with others so afflicted in congenial surroundings. One of these, *The Lavender Baedeker*, published in San Francisco, lists more

than 70 bars, restaurants and clubs in Florida it claims are meeting places for those who are 'different.' From Tallahassee to Miami, there are few cities of any size without a listing.

Homosexuality and Citizenship in Florida served as an effective stimulus to the creation of state-wide citizen concern, and the subsequent transformation of that concern into constructive action by public officials and professional workers whose skills may contribute to a better understanding and possible solution to the problems posed by homosexuality.

To produce constructive action, the Committee recommended in its report the development of legislation and soon named a special advisory committee to prepare a bill. Accepting membership on the committee were:

J. Duane Barker, Assistant to the Supervisor of Personnel, Broward County Schools.

Mrs. Charlotte Blee, President of the Florida Congress of Parents and Teachers.

G. Holmes Braddock, Member, Dade County School Board.
Leo Brooker, Chief of Police, Lakeland, and Past President, Florida Society of Chiefs of Police.

Dr. Julian A. Davis, Chief Psychologist, The Florida State Hospital, Chattahoochee.

J. Crockett Farnell, Superintendent of Public Instruction, Hillsborough County.

Dr. Alan Gessner, Director, Mental Health Center of Polk County.

Dr. Jack A. Kapchan, Associate Professor of Psychology and Social Sciences, University of Miami.

Dr. J. T. Kelley, Director, Teacher Certification Division, State Department of Education.

Julian E. Laramore, County Judge, Jackson County.

Mrs. Katie Pratt, Recording Secretary, Florida Federation of Womens Clubs.

John Rudd, Municipal Judge, Tallahassee.

Dr. Walter R. Stokes, Psychiatrist, Member, Society for the Scientific Study of Sex, Author and Attorney.

Berwin Williams, Director, Florida Law Enforcement Academy.

Lamar Winegeart, Jr., Juvenile Judge, Duval County.

The single new Chapter of the Florida Statutes drafted by this distinguished group will replace all or part of six existing chapters and provide conciseness and clarity now lacking in the statutes, while at the same time giving full recognition to the problems and concerns of the State in this area.

The development of the proposed act has been based on a consideration of broad scientific and humanitarian principles, their application to conditions current in Florida, and recognition that enforceable legislation in this area is essential to the proper maintenance of the peace and dignity of the state.

Over the four months of work that went into its development, the Act was subject of more than 1530 man hours of committee participation in formal meetings, supplemented by the work of individual members who engaged in joint and individual consultation, correspondence and conversation with many other professional persons possessed of scientific backgrounds and informed knowledge in such areas as psychiatry, psychology, social work, the ministry, law enforcement, the judiciary and correctional and probational administrations. The advisory committee conducted a broad survey of the literature, and examined the experience of other states which, like Illinois, have enacted measures similar to those recommended in Britian's Wolfenden Report or formulated by the American Law Institute.

These advisors brought to the task assigned them a broad range of differing views. They brought also a recognition that it is unlikely that any single set of laws can be devised which will be fully acceptable to all who have studied and been concerned with the problems posed for the individual or governing entity by those who engage in deviant sexual behavior.

Therefore, the Act proposed represents consensus and compromise reached by the advisors. It is not, however, entirely satisfactory to all, and it may be beneficial to the members of the Legislature to identify those areas in which conflicting points of view were not fully resolved.

First, it became obvious that legislation relating to homosexuality could not be successfully separated from that applicable to other forms of deviate behavior. In turn, it was obvious that Florida's sex laws lack both the clarity and cohesion essential for full and effective administration.

Therefore, the advisory committee agreed that the consolidation of all measures forming the statutory sex code of the state into a single Sexual Behavior Act was desirable. It was further agreed that many of the existing laws were worthwhile and should be fitted into the new chapter as a matter of statutory revision, while others could well be simplified and/or strengthened in the process. The Statutory Revision Division of the Office of the Attorney General was a full partner in the development of the sequence and technical presentation of this Act.

Deviate sexual behavior was defined only after extensive discussion. While there was general agreement on its precise definitions of homosexual conduct, major differences arose over its replacement of the traditional and deeply-rooted reference to crimes against nature and on the inclusion of bestiality. As a result of the firm differences of opinion between those who traced the term 'crimes against nature' from its Biblical origin to its current common usage, and the social scientists who felt the term is imprecise and out of step with modern concepts of sexual behavior, its compromise inclusion as a reference in the definition of deviate sexual behavior was agreed upon.

The illegality of the sexual relationship between persons and animals was discussed, with some sentiment that those who engage in such acts would be apprehended under other sections of the measure, or that their conduct would be so oriented as to make nearly certain identification, treatment, and/or incarceration for other causes. The view prevailed, however, that inclusion of this specific is an essential tool of

law enforcement, offering a positive measure of control over offenders who might otherwise escape official notice.

A substantial difference of opinion occurred in the consideration of the section dealing with fornication. This difference was part of a larger consideration involving those of the advisory group who felt strongly that sexual behavior between mutually consenting adults, either heterosexual or homosexual, performed privately and discreetly and not involving any implication of public indecency or solicitation, should not be made subject of any criminal statutes.

The argument advanced by those holding this view emphasized that in seeking the elimination of such activity from the law, they implied no connotation of condonement or commendation, but rather a recognition that laws which are relatively unenforceable, as they believe this to be, are dangerous in that they destroy the moral fiber of the population and create disrespect for law.

The opposing, and majority, viewpoint was that to adopt such a course would be to weaken the law enforcement structure of the State in a manner abusive to the peace and dignity, and would constitute a liberalization of sexual behavior laws at variance with current needs and possibly conducive to the encouragement of those who would violate sexual behavior laws only if they felt they could do so successfully.

These items were but a few of the many debated in depth as the Act was developed. Each of the new or revised sections has been carefully evaluated for soundness, legal strength and contribution to a code which, while realistic and in step with current needs, is based on concern and compassion balanced against the peace, dignity and safety of society.

The Act has received favorable comments from a majority of those who have reviewed it, and the endorsement of the Florida Sheriffs Association.

Strengthening Teacher Certification Revocation Procedures

Because of their constant contact with, and influence over the youth of the state, teachers have been a focal point of investigations and discussions of sexual deviation among state employees.

It should be made abundantly clear that careful scrutiny by the Committee during this biennium has revealed:

1. That the number of deviates among the teachers of Florida is proportionately low, and that in this regard Florida is substantially better off than many of her sister states with less rigid certification procedures which are now facing up to a serious problem of moral misconduct among teaching personnel.
2. That the Teacher Certification Division of the State Department of Education, armed with new power granted it by the 1963 Legislature, has done, and is doing, a thorough and competent job of investigating reports of deviate behavior on the part of school personnel. In this effort the Department has received strong support from The Florida Education Association.

In its work with the Teacher Certification Division, the Committee's attention was called to one weakness in the present law which, with the concurrence of the Division, it proposes to close by amendment in the 1965 Session.

There is at present no provision which would keep a person, substantially linked to acts of moral turpitude, from teaching, pending the completion of such investigative functions or legal procedures as may be necessary to confirm guilt or innocence.

As an example of the problem this creates, a teacher in one county was involved in an act of moral turpitude, which was admitted and which led to suspension in the county. While action on revocation of the teaching certification by the State Board of Education was delayed pending the completion of court action relevant to the case, the individual involved moved to another county and secured a teaching position in the school system there.

To prevent situations such as this, an Act has been drafted and will be introduced amending Chapter 229, Florida Statutes, so as to give the State Superintendent of Public Instruction full authority to suspend without prejudice the certificate of any person accused of acts constituting grounds for revocation as set forth in the statutes, pending investigation by the State Department of Education or the disposition of a case then pending before a court of competent jurisdiction.

Civil Disobedience and Academic Freedom

We will introduce for the consideration of the 1965 Legislature an act to insure for the faculties and students at Florida's institutions of higher learning unfettered consideration of ideas encompassing the full spectrum of thought and action.

This act, which will be entitled The Florida Academic Freedom Law, will similarly seek to provide safeguards against those who would ignore the responsibility inherent in academic freedom and who would use that freedom as a vehicle for propagandistic efforts of any sort, or for the advocacy for acts in violation of the laws of this state and nation.

The Academic Freedom Act, which is set forth in the Appendix, stems from investigations made by the Committee into the activities of certain groups and individuals on the campuses of our several state institutions—investigations that have established to our satisfaction that Florida is not today endangered by subversion on the campus, but that without such a measure as is proposed, and without continued vigilance by the institutions themselves, the Board of Regents, and the Legislature, the potential for such activity could readily be realized.

During the biennium the Committee received many expressions of concern from members of the Legislature and responsible citizens who were distressed by stories of alleged "communist" or "socialist" activities on the campuses of Florida's state universities.

Because of this concern, and in keeping with our legislative mandate to make investigations where there is indicated a "course of conduct on the part of any person or group which would constitute violence or a violation of the laws of the state," the Committee, in concert with university officials,

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

made extensive inquiries into the background of some organizations and individuals.

It should be noted, and indeed stressed, that the Committee's activities were carried out with the full knowledge and excellent cooperation of the Board of Control and Council of Presidents of the university system. Near constant contact was maintained with the staff of the Board of Control, and information was regularly exchanged with officials of the various institutions designated by their presidents to serve as liaison with the Committee. In all cases, information furnished by the Committee as a result of its investigations was promptly acted upon by the appropriate officials.

In reviewing the following account of the Committee's activities related to the educational structure of the state, it may be interesting to recall that this extensive activity stemmed from a Committee which the press had charged was apt to ruin higher education in Florida by irresponsible action; headline hunting, and political vendettas. Let it be noted now that all investigations were conducted by competent individuals in a responsible manner; that no word of detriment to the educational system was leaked or released to the press, and that the sole goal of the Committee, as reflected by its instructions to its staff, was to find the truth without regard to personalities or politics.

Representatives of the Committee have received written commendations and congratulations from members of the staff of the Board of Control and officials of that Board and of the institutions with which we dealt for the manner in which our work was carried out. We know better than to expect, but believe we are due, an apology from certain of the Committee's critics whose scattergun attacks have revealed neither an interest in what we tried to do, nor in what needs we might meet, but rather a desire to claim credit for our demise.

Essential to the consideration of the Academic Freedom Act and the findings of the Committee, is an understanding of the role of the university in relation to certain of the concerns which have been expressed in regard to the conduct of student body and faculty members alike.

Traditionally, the university has been a place where dissent is voluble and change is spawned. It is normal that as young minds explore and absorb new concepts and ideas there are those mavericks who rebel and speak openly in opposition to cherished concepts and time-honored tradition. Discussion, dissention and rebellion are the whetstone upon which the fine edges of many educated minds have been honed. It has been ever thus, and for so long as the American system of free inquiry is preserved, it will be ever so.

The contrast between this condition as it has been through the years, and as it is today evidenced in such groups as the young Republicans and Democrats of the campus and other similar political and social groups, and the militant advocates of socialism, pacifism and the other "isms" of our times, is that the former discuss and debate their views in the academic atmosphere of the campus as an adjunct to learning, while the latter substitute emotion for experience and action for education.

The difference and the danger in these students and their organizations is that they give time no opportunity to mellow their views and experience no chance to enhance their understanding.

For a small, but highly active, cadre of students the campus is less a center of learning than a command post from which to conduct attacks on the elements, ideals and ideas of society with which they think they disagree.

At one institution in Florida, the Committee, with the knowledge of the Board of Control, placed non-students in membership in an organization whose members cited socialism as their goal; claimed full support of a number of professors; subscribed to several Communist publications, including the *Worker*, and met regularly in an on-campus classroom which they prepared for their meetings by draping a large red banner across the front of the room, and placed before it a sizeable portrait of Karl Marx. Each meeting was opened with a reading from the works of Marx, and participants addressed each other as "Comrade."

Although this organization claimed to have only six members, its meetings were regularly attended by twenty to forty

students who joined in the advocacy, planning and execution of a number of acts of civil disobedience and violation of university regulations.

At another institution at about the same time, a similar group distributed a membership form in which it solicited prospective members to sign a commitment to engage in "academic sabotage" of the ROTC program.

The Committee found that student organizations were operating with membership open to anyone who would attend meetings, whether a student or not. The Committee enrolled several non-students in these organizations, where they became full-fledged members with their status on the campus never questioned despite their statements that they were not enrolled.

At least one student organization was operating under a charter approved by the university which empowered it to do such things as charter subsidiary organizations in other areas of the state which would have no students in membership or be in any way subject to university control. The president of this organization openly bragged to a Committee investigator that his group did not need money to produce a pacifist-socialist newspaper because it would be done for them on university equipment and with university supplies.

At one university, off-campus and non-accredited organizations were given free run of the campus for the promotion of programs encouraging acts of civil disobedience. Another off-campus organization received accredited status because of its affiliation with a religious body. The organization, however, made a clear and public distinction between its "social action" status and its religious affiliation. Membership in the "social action" group was in no way dependent on religious affiliation or membership in the alleged parent religious body, and no control was exercised over the "social action" organization by the religious institution whose facilities it utilized.

Policies at the several institutions relating to speakers and organizations differ widely in their interpretation and implementation of the basic Board of Control Academic Freedom Policy, emphasizing the need for the new law proposed

in this report. For example, under present policies, Norman Thomas, the ofttime Socialist Party presidential candidate, has been excluded as a speaker at the University of Florida, but has twice spoken on the Florida State University campus. At the University of South Florida, a professional football quarterback was denied the opportunity to speak because, according to newspaper reports (the University never replied to the Committee's request for more detailed information), he might incite the student body to favor intercollegiate football, while poet Archibald MacLeish was given a major promotional effort by the institution which ignored his involvement with thirty-eight Communist fronts and activities over a long period of years.

In 1963 and 1964, John Thomas Riggins, a senior from Lake Worth, received considerable attention on the campus of The Florida State University. Riggins was leader of the campus Young Peoples Socialist League (YPSL), an unrecognized campus chapter of the Congress on Racial Equality, active in a pacifist group called Students Act for Peace, and founder of a "Cultural Committee" which petitioned a touring orchestra to skip FSU because of "repressive" tactics of its administration.

In the wake of his issuance of a YPSL leaflet at student registration calling for willful violation of laws through acts of civil disobedience, Riggins was extensively interviewed and his comments carried by several Florida newspapers.

To review Riggins' violations of regulations and the University's responses, is to flay a dead horse, for he has left the institution. His views, however, as recorded in a series of informal and candid conversations, are more revealing of the potential of his organization than were those bland responses he gave representatives of the press when he was in the spotlight of controversy.

Some of Riggins' more revealing comments include:

(On YPSL) "It's a democratic socialist youth organization dedicated to building a society as a service of human needs. It believes that a great step for the realization of the potential of mankind can be made through the social owner-

ship with democratic control of the means of production and distribution."

(On Communism) "I don't see why socialism should lead to communism. I think what you mean is totalitarianism, because there is nothing intrinsically wrong with communism; the only thing we object to in it is its totalitarianism aspects, and if communism would liberalize into democracy in the Soviet Union or the communist countries, I think no one would have any objection to communism."

(On Support of the FSU Faculty) "I think that some of the professors I have talked to are left of the Party. They don't join the Socialist Party because it is too conservative. And others don't join it for the same reasons students don't—because, well, they are not fully aware of it, although they would like to have some form of socialist government, they haven't quite figured out exactly where to start or how to do it, and they haven't really taken the time to investigate the Party, because of their academic load and things like this. And then other professors are in direct sympathy with the Party—they would like to join the Party, and they would be members of the Party—ah—they, on the basis of not publicizing this—ah—out of fear of the Board of Control, and their thinking dominates the University."

The record should reflect that the Committee did not find evidence of socialist tendencies on the part of FSU faculty members on the scale suggested by Riggins' remarks. Some indication of faculty support of YPSL was discovered and turned over to the Board of Control and University, which acted promptly in the matter, but widespread faculty sympathy to socialism was not found.

(On an Interlock with other Student Organizations) "We had originally discussed having a socialist newspaper. I think it was the Students Act for Peace who suggested they have a student act for peace newspaper, they were the original ones that started to do it through YPSL, and then they went ahead and did it through the Students Act for Peace instead, supposing they would get a wider audience if it was published for a peace cause."

(On Economic Policy) "I can think of the major means of production and distribution; of railroads, communications and things like that; steel, oil certainly would either be owned outright or controlled, that is for planning purposes, by the federal government."

(On YPSL Activities) "We don't usually demonstrate publicly in Tallahassee, unless it's in unison with the Socialist International . . . I suppose we just muck rake in general, some would say."

Another student, who is still enrolled at a state institution, has solicited members for an off-campus organization by means of a letter in which he says that the group's demonstrations "will ordinarily be open to civil disobedience by qualified participants."

In addition to the need for the Academic Freedom Law, the findings of the Committee show a need for increased internal security measures at the institutions of the university system, and for better personnel screening procedures prior to the employment of personnel at all levels.

In each instance where incidents such as those noted here have been brought to the attention of the university or the Board of Control, prompt and efficient action has been taken to correct existing situations and to prevent recurrences. The institutions and Board, however, should not need to learn about the activities of its employees or charges from legislative committees or newsmen, and potentially undesirable individuals should be screened out by effective personnel background checks before employment.

Two examples serve well to support this position:

In the first, a professor was hired from another southern institution to join the faculty of one of Florida's state institutions. When his activities in Florida of a radical political nature came to the attention of the Committee, a background investigation revealed that shortly before he secured the Florida position he had been instrumental in bringing to his former campus for a speaking engagement the noted Communist fronter Carl Braden. Of this professor, Braden later wrote an associate: "He will be most helpful to us in Florida."

Quite aside from his political activities, this professor with some regularity convened an undergraduate class in his classroom, and then led them in a cavalcade of cars to a downtown tap room where, for the duration of the class period, the entire group guzzled beer and ate pretzels while considering the subject matter of the course.

Although these antics were widely discussed on campus, the institution was unaware of them until advised by the Committee.

Once in possession of the facts, the university quietly terminated the contract of this individual, but, as a result of an almost total lack of communication on undesirables between the institutions of the system and through the Board of Control, it was possible for him to secure a teaching position at another state institution where he is currently employed and under the most careful scrutiny, of which he is currently employed and under the most careful scrutiny, of which he is aware, and which may assure his role as a productive contributor to education in Florida.

The second example involves the appearance on the campus of The Florida State University of A. J. Muste, an ancient and ardent advocate of civil disobedience—the willful violation of laws with which the individual does not agree. Muste, now 80, is a one-time labor organizer, former Trotskyite, and current member of nearly every pacifistic and "peace" organization going. He has been a member of many fronts and actions of the Communist Party.

In 1957 Muste headed a committee of "impartial observers" at the 16th National Convention of the Communist Party USA, and at its conclusion issued a report poo-pooing any Communist threat to the Union. Of this convention, report, and Muste, FBI Director J. Edgar Hoover said: "The Communists boasted of having 'impartial observers' cover the convention. However, most of these so-called impartial observers were handpicked before the convention started and were reportedly headed by A. J. Muste, who has long fronted for the Communists, and who recently circulated an amnesty petition calling for the release of the Communist leaders con-

victed under the Smith Act. Muste's report on the convention was biased, as could be expected.

Muste came to Florida in the role of advance man for a group of "Peace Marchers" affiliated with the Committee for Non-Violent Action, a pacifist outfit which has sponsored numerous anti-bomb demonstrations, a march across the U. S. and Russia, and the current effort, a Quebec to Guantanamo hike by approximately two dozen young and self-proclaimed "peaceful revolutionaries."

Enroute down the East Coast of the United States, the demonstrations and acts of civil disobedience committed by this group had caused them to be jailed with sufficient frequency to put their march timetable nearly a year in arrears. Because of their ability to cause discord, the Investigation Committee interested itself in them, and was instrumental in eliminating much of their effectiveness in securing publicity by being jailed. A detailed report on the individuals participating, background of the sponsoring organization, and on the tactics used by the group was prepared by the Committee and furnished, along with photographs of the march and marchers, to all law enforcement agencies along the route of march, and to all members of the Florida Intelligence Unit.

When a student group sought permission to have Muste speak at a public meeting on the campus of The Florida State University, the administration of Dr. Gordon Blackwell refused because of Mr. Muste's open advocacy of breaking state and federal laws.

Several days after this decision was announced, the staff director of the Committee was in discussion with Mr. Muste about planned activities of the Peace Marchers elsewhere in Florida when the subject of the FSU action came up.

Muste said he was bemused by the University's policy, and explained that it seemed to him inconsistent in that it barred him from holding a public meeting on campus, yet permitted him to address a class in formal session. This, though, was fine with him, Muste said, "because the opportunities for indoctrination are, of course, far greater in the classroom situation than we could hope to achieve in a public meeting."

Immediately upon Muste's departure, the Committee's director called Dr. Juanita Gibson, FSU's designated liaison officer with the Committee, and recounted to her Muste's statement. Dr. Gibson said it was the first she had heard of such an appearance but would promptly check it out. Some three and a half hours later she called back to express doubt that Muste would speak to any class.

Just over six hours after the Committee had advised of the planned Muste appearance, Dr. Gibson called again to advise that Muste "apparently" had spoken to a class on campus, and that his appearance could not be construed as in conflict with the position or policy of the University.

A later conversation with Mr. Muste revealed that he had, in fact, spoken to two classes, and the University advised it had not heard of the second class appearance until advised of it by the Committee. Muste's appearance was permissible under a policy of the University's Public Forum Committee providing that "responsibility for the presentations by outside speakers or lecturers in classes, seminars, or departmental meetings shall rest with the individuals who extend the invitation." There was no definition available of the meaning of "responsibility" as used in the policy statement. Muste lectured as guest of a graduate student who was conducting the classes without supervision of any member of the faculty according to the University. A directive to student assistants, requiring prior clearance of speakers by department heads, was issued following this incident.

In fairness to the institutions, of which all Floridians have ample reason to be proud, it should be pointed out that these examples are representative of a relatively small number of instances, and reflect neither the thinking nor the actions of the vast majority of students or faculty members.

The Board of Control (now Regents) and Council of Presidents have initiated a series of seminar programs to upgrade the proficiency and status of campus security personnel. Salaries, too, need to be upgraded so as to attract competent personnel to perform the delicate but vital inquiries essential to good security practices. On campus at each institution there should be initiated educational programs to alter the present on-campus image of security officers as "traffic cops."

The importance of personnel screening and internal security has, in the past, been taken too lightly by the Board of Control and the university administrators. In an understandable anxiety to preserve the full measure of academic freedom, they have been loath to look into either the motives or the methods of personnel or students under their control.

Regulation by legislation is no answer to this problem. Rather there must be re-emphasis by educators and administrators of the role of the campus as a place for study and stimulation where students intent on securing an education can properly equip themselves to face up to the challenges and opportunities that will confront them when they leave the campus. Constructive steps toward such re-emphasis have been noted by the Committee during this biennium, and there is reason to believe that under the Board of Regents such further steps will be achieved as a study of the role of individuals and organizations not part of the university structure, yet active on the campus, and that such a study will lead to the adoption of uniform system-wide regulations as called for in the Academic Freedom Law.

A number of educators and editorialists have attacked "legislative intrusion" into the operation of the university system. The work of the Committee in this biennium has shown that, though the situation is improving, there are grounds for legitimate legislative inquiry, and has demonstrated that such inquiries can and have been conducted in cooperation with the educational system in a constructive manner.

The U. S. Rangers— Christian Youth Corps

Much national publicity has centered on groups of armed citizens in training to repel from their homeland what they believe to be an imminent Communist invasion.

Speculation in connection with these groups has centered less on their patriotism than on their sanity, and serious question has been raised as to whether or not they pose a threat to the security of the nation and safety of its citizens.

The actions of some such groups in other areas of the country has given rise to serious consideration in the Congress and in state legislatures of legislation relating to the sale and control of firearms and ammunition.

In keeping with its mandate to investigate organizations "whose principles or activities include a course of conduct on the part of any person or group which would constitute violence," the Committee concerned itself with such groups in Florida as were rumored to be forming armed forces.

The Committee's investigations, and information obtained through cooperation with the Florida Intelligence Unit and other law enforcement agencies, indicates no significant activities of this nature have been prevalent in Florida during this biennium.

Considerable attention on the part of investigative agencies and the press has, however, been directed to the activities of Oren Fenton Potito of St. Petersburg, whose penchant for publicity and grandiose claims of a military force are linked closely with his vehement anti-semitism.

At the beginning of the biennium, Potito was touting his military force as "The U. S. Rangers," a unit he claimed had many members and joined with other similar squads for training activities both in the Everglades and at an encampment in northern Florida where, he said, massive supplies of

munitions lay buried. By early 1965, the U. S. Rangers had been replaced by Potito with the "Christian Youth Corps," which utilizes the same symbol of a black cross in a white circle on a red field that was the emblem of the Rangers.

According to a printed promotional piece mailed out by Potito, the Christian Youth Corps consists of "Brothers-in-Arms with the U. S. Rangers, the California Rangers, The Minute Men, the Texas Rangers, the Green Mountain Boys of New England, and many other smaller localized organizations all of which comprise a vast National Christian Army of over 10,000,000 Patriotic Men who stand ready to defend this Nation against the Red Hordes that will soon attack the United States." The handout further proclaims "we shall fight from the fields, from the plains, from the swamps and from the mountains; and although overwhelmingly outnumbered in men and equipment we shall still be victorious for we have almighty God on our side and at the precise moment His Heavenly Armies will intervene and give us victory through the triumphant return of His blessed Son."

In soliciting young men to membership in the Christian Youth Corps, Potito cites 12 pieces of equipment as basic to guerrilla warfare operations. These are:

1. Any Standard Rifle of at least 30 cal.
2. One Good Quality Hunting Knife, 6" blade.
3. At least 1000 rounds ammunition.
4. Regulation Canteen-holder, webbed belt.
5. Any Suitable type Back-Pack on which can be mounted a good quality sleeping bag—A good quality 2-man tent.
6. Three pair camouflage fatigues of heavy duck cloth.
7. At least one pair of insulated paratroop type boots.
8. Seven day supply of concentrated food packs.
9. At least 500 water purification tablets.
10. Snake bite—First Aid Kit.

11. One mosquito bar.
12. One camouflaged waterproof poncho.

To determine Potito's success at recruiting a private army, and the validity of other of his claims, the Committee, in cooperation with Pinellas County Sheriff Don Genung and other law enforcement agencies, undertook a detailed investigation of Potito and his organizations. Although the investigation produced a fascinating insight into the activities of a professional peddler of hate, no evidence was uncovered which would support charges of violations of existing Florida statutes, and the Committee is reluctant to propose statutes which while effective in curbing distasteful enterprises such as those of Potito, might also infringe on the proper freedoms of others.

The extensive information developed on Potito and certain of his associates was made available by the Committee to appropriate state and federal law enforcement agencies and, because of its pertinence to possible future actions, cannot be reported in detail here.

Oren Fenton Potito is single and lives with his parents in an unpretentious section of St. Petersburg. He has resided there at least since 1955. He operated for some time an air conditioning and appliance repair business which was the subject of complaints by some customers who charged fraud and deceit.

On March 21, 1961, Potito received a Ministerial Certificate proclaiming him a minister of the Church of Jesus Christ Christian. This certificate was issued and signed by Dr. Wesley A. Swift of California, one of the best known "hate preachers" in the nation, whose activities have been the subject of investigation and critical comment by a Committee of the California Legislature. Many of Wesley Swift's followers have been chartered by him as ministers, including Conrad Lynch, whose Florida activities were detailed in the Committee's report on the National States Rights Party.

In his first days as a minister, Potito was involved with two little known religious organizations in St. Petersburg. In connection with one of these he was the subject of a com-

plaint filed with local authorities by a military officer who alleged that while he was stationed in Korea, Potito and a colleague exercised improper influence over his wife, creating a state of mental deterioration. There is no record of prosecution or other legal action in connection with this complaint.

In the late summer of 1961, Potito opened a Church of Jesus Christ Christian in St. Petersburg, and Dr. Wesley Swift was identified as lecturing at this church shortly thereafter.

Also in the summer of 1961 Potito was the featured speaker at several Ku Klux Klan meetings in Pinellas County. From these he soon moved to the role of presiding officer at meetings of the National States Rights Party held in the Tampa Bay area, *The Thunderbolt*, newspaper of the National States Rights Party, in August, 1962, identified Potito as "National Organizer" for the NSRP and pictured his attendance at the organization's national convention held at Montgomery, Alabama.

In October, 1962, Potito apparently broke with the NSRP and began to build his own organization and publish his own newspaper, called the *National Christian News*. The policy of the paper was spelled out in a statement in the first issue which included this pledge:

"We will prove that International Jewry and Communism are one, using negroes as their pawns and fronts, to accomplish total enslavement of the white Christian race."

Evidence that this goal has remained constant is found in the January, 1965, issue of *National Christian News* in which Potito, in a bylined article, offers this solution for "cleaning up America":

- "1. Repeal the Federal Reserve Act and take the control of the money away from the Jews and put it back in the hands of the American people.
- "2. Remove all the Jews that are now in public office.
- "3. Allow only dedicated white Christians to hold public office or positions of any importance in the United States."

The "U. S. Rangers" made their debut shortly after the newspaper appeared, and Potito's claims of expanding membership were frequently heard in the St. Petersburg area, along with a claim that the newspaper's subscribers numbered in the high thousands.

Basic facts on these and other claims, as developed during the Committee's investigation, are these:

That distribution of the *National Christian News* is relatively limited, though the mailing list indicates distribution to a number of states. Production of the paper is handled by a job which produces a shopping guide.

That Potito's high command consists mainly of two men, one, a former NSRP official who spends nearly full time preparing the various publications of Potito's *National Christian Publishers* and handling additions and deletions to addressograph plates, and the other, a former Air Force Lieutenant named Phillip D. LeBus, a one-time landscape gardener, now performs such chores for Potito as keeping his expensive automobiles polished and selling door-to-door kerosene miniature hurricane lanterns and five-cell flashlights. LeBus joins Potito in listening to tape recordings of talks by Wesley Swift, and enjoys at his home a large collection of marching music of the German Army of Hitler's time to which he has taught his young daughter to goose-step.

That the major maneuvers conducted by Potito and LeBus, with the occasional assistance of a new recruit—one of many who have drifted in and out of their activities—consists of dressing up in Army surplus uniforms with the symbol of the Rangers and/or Christian Youth Corps on cap and shoulder, and heading to one of several St. Petersburg churches where they place copies of the *National Christian News* or other hate-type literature under windshields or inside churchgoers autos. On a number of occasions ministers have complained to the St. Petersburg police about these acts.

That when Potito has told associates he was going off to meet other Ranger leaders at a training area in north

Florida, he instead went to a small lot in the Ocala National Forest on which he planned a summer cottage.

That on other occasions when Potito has left his followers to "go to the Everglades" on Ranger business he has actually never left St. Petersburg, merely using the story as a cover for visits with a friend whose connection with the all-male Rangers seems most unlikely.

Secrecy is the watchword of the Potito operation. New recruits are sworn to secrecy and, before being made members of the military units, must take an oath on the Bible and sign a form impressive in length and legal verbiage attesting to their pledge of silence in the face of any provocation.

Potito has not made a great deal of identifiable money from his hate activities. Some support is apparently derived from a number of well-do-do associates, including at least one politically prominent young professional man. His activities appear to be within the law, although distasteful to the vast majority of those with whom he comes in contact. His church of Jesus Christ Christian, which had met in rented halls, has not functioned since mid-1963 and there is no evidence that he is engaged in any formal religious activity in his community at this time. He has, in all but articles for the *National Christian News*, dropped his use of the title "Reverend" and uses "Colonel" in its place.

Typical of the deceit practiced by Potito was the glowing statements he frequently made to new recruits about a former officer of the Rangers. Potito, supported by LeBus, told in some detail how this individual had left the Rangers on a special assignment to Germany where he was preparing himself for greater leadership and engaging in guerrilla warfare against "Communist Jews." They told in some detail of his exploits on "Ranger Manuevers" in Florida and of his participation in burying large quantities of ammunition in their assembly or staging area.

Investigation showed that the former Ranger to whom they referred was at that time attending a university in this country; had never been to Germany or other overseas

point. When questioned he readily admitted his connection with Potito, whom he described as a "phony" and said he had never been on maneuvers and believed stories about the Ranger strength and activities to be false. He said his only experience in burying supplies of any sort was to accompany LeBus one day to an island off the Pinellas County coast where they buried a five gallon can of gasoline.

To his trusted followers, Potito makes available a handbook on guerrilla warfare which includes 64 illustrations of do-it-yourself destruction activities, including instructions on how to booby-trap a door handle and methods of murder in which the victim has no opportunity to utter a sound. In the hands of improperly trained, equipped or oriented individuals this guide could lead to serious violence.

The Committee has given serious consideration to such legislative measures as the regulation of the sale and/or distribution of manuals on the manufacture, design or use of homemade explosive devices, or a requirement for registration with the Florida Sheriffs Bureau and the National Guard of military or quasi-military units operative in the state.

Such measures, however carefully drawn, could easily be circumvented and would tend only to drive such organizations as they would seek to control further underground.

In the case of Potito, it is sufficient to say that all competent investigators who have studied his operation have concluded that his military units are a sham and his claims a fraud on those from whom he solicits and receives funds. Careful observation and continuing investigation, coupled with the extensive information derived from the Committee's inquiries, will assure that the activities of Potito and his colleagues will not successfully cross the line of legality. In the meantime, he should be regarded by all good citizens as one of the prices we all must pay for the freedoms of speech and action we enjoy and seek to preserve.

Political Role of the Communist Party in the State of Florida

Prior to the 1964 primary elections, Arnold Johnson, public relations director of the Communist Party, U. S. A., wrote to Secretary of State Tom Adams and then Attorney General Richard W. Ervin, seeking information on placing Communists on the ballot in Florida.

The approach of the Communist Party is that it is a "minority political party" and entitled to be treated as such. Under this guise the Communists have succeeded in placing candidates on the ballot in several states, including one California election in which their candidate, who was well identified as a Communist, polled 17 per cent of the votes.

Although the existing requirements for a candidate's oath would preclude a member of the Communist Party from holding or seeking office in Florida, no clear statutory ban on recognition of the Communist Party as a minority political party presently exists. This leaves the door open for the Communist Party to adopt the tactics which have been used by the National States Rights Party of sponsoring for office an individual who is neither a member nor directly connected with their organization.

A further possibility centers on the apparent legal ability of the Communist Party to offer a slate of electors for the support of a presidential candidate, Communist or not. As presidential electors are not subject to the candidate's oath, and there is no specific prohibition against the Communist Party, U. S. A. acting as a political party in Florida, it would seem likely that should they seek, they might succeed in getting electors on the ballot.

To close this loophole in the law, the Committee has prepared a measure amending the Florida Statutes to clearly prohibit the Communist Party or its identified fronts from functioning as political parties in this state.

Appendix

A BILL

TO BE ENTITLED

AN ACT relating to sexual behavior; defining certain terms; prescribing certain crimes relating to and emanating from such behavior; prescribing the penalties for such crimes; providing for psychiatric and psychological examination of individuals convicted of deviate sexual conduct; repealing all laws and parts of laws in conflict, in particular but not limited to, chapters 794, 796, 798, 800; sections 795.02 and 795.03, Florida Statutes; providing an effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. Chapter 802, Florida Statutes, is created to read:

802.01 *Short title.*—This chapter shall be known as the Florida sexual behavior act.

802.02 *Definitions.*—For the purposes of this act:

(1) Child shall mean child as defined by chapter 39, Florida Statutes.

(2) Sexual deviation and deviate sexual conduct (crimes against nature) shall include, but not be limited to, acts of sexual gratification, or tending to provide sexual gratification, between persons of the same sex, or between persons and animals; acts of sexual gratification, or tending to provide sexual gratification, involving the sex organs of one person and the mouth or anus of another of the same sex. Nothing in this chapter shall apply to sexual behavior between a male and female legally married one to the other at the time of the commission of the act performed in private.

802.03 *Rape.*—

(1) Any person who has sexual intercourse with a female, not his wife, by means of force and against her will, commits rape. Sexual intercourse occurs when there is any penetration of the female sex organ by the male sex organ.

(2) Any person who commits rape is guilty of a felony and subject to the penalty prescribed by Florida law.

(3) No person shall publish, broadcast, or in any other way disseminate the name of any female raped or upon whom assault with intent to commit rape has been committed.

(4) Any person who publishes, broadcasts or in any other way causes to be disseminated the name of any female raped or upon whom an assault with intent to commit rape has been committed is guilty of a misdemeanor and subject to the penalty prescribed by Florida law.

802.04 *Indecent liberties with a child.*—

(1) Any person who is not a child as provided for by Florida law who performs or submits to any of the following acts with a child commits indecent liberties with a child.

- (a) Any act of sexual intercourse.
- (b) Any act of deviate sexual conduct.
- (c) Any lewd fondling.

(2) It shall not be a defense to committing an indecent liberty with a child that the accused reasonably believed the person not to be a child.

(3) Any person who commits indecent liberties with a child is guilty of a felony and subject to the penalty prescribed by Florida law.

802.05 *Contributing to the sexual delinquency of a child.*—

(1) Any person who is not a child as provided for by Florida law who performs or submits to any of the following acts with any child contributes to the sexual delinquency of a child:

- (a) Any lewd act done in the presence of the child.
- (b) Any display, presentation or exposure of the child to lewd, lascivious, obscene, pornographic or otherwise indecent material to arouse or satisfy the sexual desires of the child or person, or both.

(c) Any use of the child as a model, performer, or participant in any manner whatsoever in films, still pictures, drawings, plays or other presentations so designed as to arouse or satisfy the sexual desires of the viewer.

(2) It shall not be a defense to contributing to the sexual delinquency of a child that the accused reasonably believed the person not to be a child.

(3) Any person who commits an act contributing to the sexual delinquency of a child is guilty of a felony and subject to the penalty prescribed by Florida law.

802.06 *Indecent solicitation of a child.*—

(1) Any person who is not a child as provided for by Florida law who solicits a child to do any act, which if consummated, would constitute committing an indecent liberty with a child or an act contributing to the sexual delinquency of a child, commits indecent solicitation of a child.

(2) It shall not be a defense to indecent solicitation of a child that the accused reasonably believed the person not to be a child.

(3) Any person who commits an act constituting indecent solicitation of a child is guilty of a misdemeanor and subject to the penalty prescribed by Florida Law.

802.07 *Adultery.*—

(1) Any person who cohabits or has sexual intercourse with another not his spouse commits adultery, if

- (a) The person is married and the other person involved in such intercourse or cohabitation is not his spouse; or
- (b) The person is not married and knows that the other person involved in such intercourse is married.

(2) Where either of the parties living in an open state of adultery is married, both parties shall be deemed to be guilty of the offense provided for in this section.

(3) Any person who commits adultery is guilty of a felony and subject to the penalty prescribed by Florida law.

802.08 *Fornication and deviate sexual conduct.*—

(1) Any person who cohabits or has sexual intercourse with another not his spouse and not a child, in the absence of conditions set forth in (a) and (b) of 802.07(1), commits fornication.

(2) Any person who cohabits or engages in deviate sexual conduct not otherwise provided for in this chapter with another not his spouse and not a child, commits deviate sexual conduct.

(3) Any person who commits fornication or deviate sexual conduct is guilty of a misdemeanor and subject to the penalty provided by Florida law.

802.09 *Public indecency.*—

(1) Any person who performs any of the following acts in a public place commits a public indecency:

- (a) An act of sexual intercourse.
- (b) A lewd exposure of the body or genital organs.
- (c) A lewd fondling or caressing of the body of another person of either sex.
- (d) Any act of deviate sexual conduct.

(2) "Public place" for the purposes of this act shall be broadly interpreted to mean any place where the conduct may reasonably be expected to be viewed by others or which may be frequented by members of the general public.

(3) Any person who commits an act of public indecency is, upon first conviction, guilty of a misdemeanor and is subject to the penalty provided by Florida law. Upon subsequent convictions, it shall be the prerogative of the trial judge to assess such penalties as are provided by Florida law for the commission of a felony.

802.10 *Incest.*—

(1) Any person who has sexual intercourse or performs an act of deviate sexual conduct with another to whom he is related as follows commits incest:

- (a) Father—daughter; or
- (b) Mother—son; or
- (c) Brother—sister, either of the whole blood or the half blood; or
- (d) Uncle—niece; or
- (e) Nephew—aunt.

(2) "Daughter" and "son" for the purposes of this act, means a blood daughter or son, regardless of legitimacy or age, and also means a stepdaughter or stepson or adopted daughter or son, so long as he or she is a child.

(3) Any person who commits incest is guilty of a felony and upon conviction is subject to the penalty provided by Florida law.

802.11 *Prohibiting prostitution; evidence; penalties.*—

(1) As used in this section, unless the context clearly requires otherwise:

(a) The term "prostitution" shall be construed to include the giving or receiving of the body for sexual intercourse or deviate sexual conduct.

(b) The term "assignation" shall be construed to include the making of any appointment or engagement for prostitution or any act of deviate sexual conduct.

(2) It is unlawful in the state:

(a) To keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of assignation or prostitution.

(b) To offer, or to offer or agree to secure, another for the purpose of prostitution.

(c) To receive, or to offer or agree to receive, any person into any place, structure, building or conveyance for the purpose of prostitution, or assignation, or to permit any person to remain there for such purpose.

(d) To direct, take or transport, or to offer or agree to take or transport, any person to any place, structure or building, or to any person, with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is prostitution or assignation.

(3) It shall further be unlawful in the state:

(a) To offer to commit, or to commit, or to engage in, prostitution or assignation.

(b) To solicit, induce, entice or procure another to commit prostitution or assignation with himself or herself.

(c) To reside in, enter or remain in, any place, structure or building, or to enter or remain in any conveyance for the purpose of prostitution or assignation.

(d) To aid, abet or participate in the doing of any of the acts or things enumerated in subsections (2) and (3) of this section.

(4) In the trial of any persons charged with the violation of any of the provisions of this section, testimony concerning the reputation of any place, structure, building or conveyance involved in said charge, and of the person or persons who reside in, operate or frequent the same, and of the defendant, shall be admissible in evidence in support of the charge.

(5) Any person violating any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction is subject to the penalty prescribed by Florida law.

802.12 *Prostitute; forcing, etc., one to become, unlawful.*—

(1) It is unlawful for anyone to force, compel or coerce another to become a prostitute.

(2) Anyone violating this section is guilty of a felony and upon conviction is subject to the penalty prescribed by Florida law.

802.13 *Prostitute; living on earnings.*—

(1) It is unlawful for anyone to live off the earnings of any other person with the knowledge or reasonable cause to believe that such earnings are derived from prostitution.

(2) Anyone violating this section is guilty of a felony and upon conviction is subject to the penalty prescribed by Florida law.

802.14 *Prostitution, etc.; renting space.*—

(1) It is unlawful to let or rent any place, structure or part thereof, trailer or other conveyance, with the knowledge that such place, structure, trailer or conveyance will be used for the purpose of assignation or prostitution.

(2) Anyone violating this section is guilty of a misdemeanor and upon conviction is subject to the penalty prescribed by Florida law.

802.15 *Enticing and/or procuring for prostitution.*—

(1) Whoever shall induce, entice or procure to come into this state or to leave his or her home or other place where he or she may be residing in this state, any person for the purpose of prostitution or concubinage or for other immoral purposes, or to enter any house of prostitution, and whoever aids and assists in such enticement or procurement is guilty of a felony and subject to the penalty prescribed by Florida law.

802.16 *Psychiatric and psychological examination.*—

(1) Any person found to be guilty of an act of deviate sexual conduct or section of this chapter involving or related to a child as defined by Florida Statutes, shall, before sentencing, be made subject of a psychiatric and psychological examination in accordance with procedures set forth in chapter 801, Florida Statutes, for such examination.

(2) The judge may, in his discretion, order a psychiatric and psychological examination of other individuals convicted before him of deviate sexual conduct.

Section 2. All laws or parts of laws in conflict with this chapter are repealed, in particular but not limited to, chapters 794, 796, 798, 800, sections 795.02 and 795.03, Florida Statutes.

Section 3. This act shall take effect _____, 1965.

A BILL
TO BE ENTITLED

AN ACT relating to academic freedom; amending chapter 229, Florida Statutes, by the addition of sections declaring legislative intent; providing certain safeguards to free exploration of ideas by faculties and students at public institutions of higher learning; prescribing certain areas of responsibility essential to the preservation of academic freedom; providing for the formulation of policies and regulations relating to academic freedom; providing an effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. Chapter 229, Florida Statutes, is amended by the addition of the following sections, to read:

229.51 *Short Title*—Sections 229.51-229.57 shall be known as the "Academic Freedom Law of Florida."

229.52 *Declaration of Legislative Intent*—Recognizing that Florida's institutions of higher learning must not be stifled by standards of mediocrity which do little for the mind and spirit of their times and little to enrich and enlarge the lives of their students, the legislature hereby determines and declares that:

(1) In the development of knowledge, research endeavors and creative activities, the faculty and student body of each institution of higher learning must be free to cultivate a spirit of inquiry and scholarly criticism, and to examine ideas in an atmosphere of freedom and confidence;

(a) Institutions of higher learning must serve as a market place of competing ideas; where questioning is to be encouraged; where alternatives may be explored, and where free minds are encouraged to test the validity of each idea so as to follow wherever truth may lead;

(b) As pointed out by the association of American Universities, "historically the word 'university' is a guarantee of standards. It implies endorsement not of its members' views, but of their capability and integrity. Every scholar

has an obligation to maintain this reputation. By ill-advised, though not illegal, public acts or utterances, he may do serious harm to his profession, his university, to education, and to the general welfare. He bears a heavy responsibility to weigh the validity of his opinions and the manner in which they are expressed. His effectiveness, both as scholar and teacher, is not reduced, but is enhanced, if he has the humility and the wisdom to recognize the fallibility of his own judgment. He should remember that he is as much a layman as anyone else in all fields except those in which he has special competence. Others, both within and without the university, are as free to criticize his opinions as he is free to express them,"

(c) The total effort of Florida institutions of higher learning must be directed toward learning, research, constructive criticism and intellectual inquiry;

(d) Advocacy and involvement in extra-legal activities through participation in or support of acts of civil disobedience is contrary to the role of Florida's institutions of higher learning and has no place in the organizations or activities of the administrations, faculties or student bodies of the institutions;

(e) Enemies of the freedoms developed and perpetuated by discerning and scholarly consideration of ideas and ideologies seek to use those freedoms for the purpose of fostering subversion and anarchy;

(f) The campuses of colleges, junior colleges, universities and other educational institutions are prime targets of such efforts, making mandatory special caution and concern that the freedom of inquiry not be misused, either by intent or inadvertence.

(2) The legislature recognizes that this is a problem of concern to many citizens of the state, and to many of its fine educators, which must be met with sound safeguards not damaging to the role and function of the educational system of the state and its contributions to our society.

(3) The legislature intends to declare, in general terms, the powers and duties of the state board of education in

this regard, leaving specific details to be determined by reasonable rules and regulations the board may promulgate or assign to such subservient boards or commissions as have been created by law and are responsible to it.

(4) It is the intent of the legislature to bestow upon the state board of education and such lawful bodies as are subservient to it sufficient power and authority to carry out the objectives broadly stated above.

(5) In making these declarations, the legislature reaffirms its conviction that the personnel and students of Florida's institutions of higher learning generally understand the mission of those institutions and will wisely utilize the provisions of this law in a continued responsible exercise of their freedom.

(6) The legislature hereby finds, determines, and declares that this law is necessary to the preservation of the integrity of Florida institutions of higher learning and to the sanctity of the role of academic freedom as a contributor to a healthy, stable society.

229.53 *No Prohibition of Speakers, Lecturers, etc.—*

(1) It shall be the duty of the state board of education to create and implement regulations providing that no person who, in the opinion of the board and appropriate officials of the several institutions of higher learning, can make a contribution to the mission of an institution shall be banned or prohibited from appearing in any capacity on the campus as a speaker, lecturer, instructor or performer.

(2) Nothing in this section shall be construed so as to prevent the state board of education, its subservient bodies or the institutions of higher learning from creating and imposing standards or conditions governing the use of the physical plant of any institution, or the circumstances under which any individual may be presented, other than as may be in conflict with section 229.54 of this law.

229.54 *Balanced Presentation of Ideas—*Where it appears, either before or after an appearance, that any speaker, lecturer, instructor or performer appearing in any capacity on

the campus or through the facilities of an institution of higher learning may, by virtue of his position, background, profession, affiliation or content of statement or remarks, advocate or give the appearance of advocacy of an ideology, dogma or doctrine contrary to the precepts of American Constitutional government or the Constitutional government of the state of Florida, or engages by word or deed in the advocacy of willful disobedience of the laws of the United States or the State of Florida, it shall be the duty of the state board of education to institute and implement policies and regulations to:

(1) Assure that within a reasonable time, not to exceed one month, a person of comparable stature in the community, state or nation, but who espouses opposite views, be presented in a comparable setting and with comparable publicity and promotion as that accorded the speaker whose position he opposes.

(2) Make provision that, in the event it is determined prior to his appearance that the individual to appear falls within the provisions of this section, a copy of his lecture, speech, remarks or presentation shall be filed with the Superintendent of Public Instruction as executive officer of the board a reasonable period in advance of the scheduled appearance, and that it there may be examined by appropriate officials and officers of the federal, state and local governments.

(3) Make provision for reasonable inquiry as to whether any individual covered by this section is or has been identified as a member of an organization cited as a subversive organization or front organization of a subversive organization by the United States Subversive Activities Control Board; Attorney General of the United States; House Committee on Un-American Activities; Senate Internal Security Subcommittee or Legislative Investigation Committee of the State of Florida; and provision that if such memberships are found on inquiry to the named organizations that any such affiliations shall be presented and publicized with equal prominence as other biographical information and qualifications of the cited individual.

229.55 *Civil Disobedience*—It shall be the duty of the state board of education to institute and implement policies and regulations which prohibit the advocacy by word or deed of willful disobedience of the laws of the United States or the State of Florida by any individual or organization which is a part of, governed by, or affiliated with any institution of higher learning in Florida.

(1) Further provision shall be made that upon a determination of such advocacy by the board or its designated agent, removal of the individual or organization from the institution shall be mandatory. A determination as to eligibility for re-admission or reinstatement shall be discretionary with the board.

(2) Nothing in this section shall be construed as constituting a prohibition of academic discussion of the theory or effect of civil disobedience as a social force.

229.56 *Grants, Scholarships, Aid Funds, etc.*—It shall be the duty of the state board of education to institute and implement policies and regulations prohibiting any individual from receiving, utilizing or benefiting from funds administered by the State of Florida for the purpose of furnishing grants, fellowships, scholarships, educational or research aid, or for contract research, until such person has furnished an oath or affirmation of allegiance to the Constitution of the United States and of the State of Florida; has provided a full statement explaining any crimes of which he has been convicted or which have been charged against him and are pending; and an affidavit certifying he is not, and has not been, a member of a Communist organization registered or required to register by final order of the Subversive Activities Control Board within five years preceding the date of the affidavit or from the time the organization was registered or required to register, whichever period is the shorter; a statement providing the name and address of every school attended, and under what name, if different from that given in the statements and oath herein provided for; and a listing of all organizations to which he has belonged and all excursions or trips made outside the continental borders of the United States.

229.57 *Report to Legislature*—On or before January 1, 1966, the state board of education shall file with the clerk of the house of representatives and the secretary of the senate, copies of all policies and regulations adopted in compliance with this law.

(1) On or before January 1 of each succeeding year, the state board of education shall file with the clerk of the house of representatives and the secretary of the senate, copies of any additions or amendments made to the policies and regulations adopted in compliance with this act, and summaries of any actions taken by the board or its agents in the implementation of such policies and regulations.

Section 2. It is declared to be the legislative intent that, if any section, subsection, sentence, clause or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 3. This act shall take effect July 1, 1965.

A BILL

TO BE ENTITLED

AN ACT relating to the duties of the Superintendent of Public Instruction; amending chapter 229, Florida Statutes, providing for suspensions of Instructors certified by the State of Florida during investigation or litigation of charges which would be grounds for revocation of a certificate, permit or license issued by the State Board of Education; providing an effective date.

Be it enacted by the Legislature of the State of Florida:

Section 1. Chapter 229, Florida Statutes, is amended by striking 229.17 (16) and substituting in lieu thereof:

229.17(16) ISSUE CERTIFICATES AND LICENSES, MAKE SUSPENSIONS AND RECOMMEND REVOCATION.—

To issue to qualified applicants in accordance with State Board regulations certificates, permits and licenses authorized by law; to recommend to the State Board revocation of any certificate, permit or license for cause on the basis of evidence assembled and submitted to the State Board, and to suspend without prejudice any certificate, permit or license issued to any person accused of an act or acts constituting grounds for revocation as provided by law, pending investigation by the state department or disposition of pertinent litigation pending before a court of competent jurisdiction.

Section 2. This act shall take effect upon becoming law.

A BILL

TO BE ENTITLED

AN ACT relating to elections; prohibition of the Communist Party; amending paragraph (a) of subsection (6) of section 97.021, Florida Statutes, to include recognition that the Communist Party, U.S.A. and political organizations claiming to be political parties but having been found by proper authority to be agents of the international communist conspiracy are not political parties and are not entitled to recognition or consideration as such in Florida; providing an effective date.

WHEREAS, there exists a world Communist movement which, in its origins, development and practice is a worldwide revolutionary movement whose purpose is the establishment of a Communist totalitarian dictatorship in all countries of the world, and

WHEREAS, the establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the subordination of the rights of the individual citizens to those of the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly and of religious worship, and results in the maintenance of control over the people through fear, terrorism and brutality, and

WHEREAS, it is acknowledged in the writings of the founders of Communism and the statements of its current practitioners that its advances are keyed to the systematic penetration of a country through the infiltration of strategic unions, communications media, government agencies, political organizations, social causes and other private institutions and groups for the destruction of the moral fiber, the confusion of national purpose, and the creation of misinformation and misunderstanding among the individual citizens, and

WHEREAS, a recognized tenet and goal of Communism is the suppression of all opposition and the existence of a single political party, organized on a dictatorial basis, and by substantial identity between such party and its policies

and the government and governmental policies of the country in which it exists, and

WHEREAS, the advances of Communism are based on deceit, distortion and demagoguery, limited neither by the bonds of conscience nor the demands of truth, and

WHEREAS, a favorite ploy of Communists active openly in the United States today is to claim disassociation with the totalitarian goals of the international Communist conspiracy and assert their role is only that of a minority political party seeking social reform through legal means, and

WHEREAS, this claim has been shown many times over by federal and state investigative bodies to be without substance or basis in fact, and

WHEREAS, under this guise the Communist Party, U.S.A. has entered candidates in several recent state and local elections in states of the American Union, which candidates have received a substantial number of votes, and the Communist Party has further made inquiry of all states to ascertain the procedures by which they might place candidates on the ballot, including Florida, and

WHEREAS, the sound laws enacted by prior legislatures of the State of Florida carefully prohibit activities of Communists whose intent to overthrow and destroy the legal authority and constitutional government of the states, either by direct action or by forced dissolution of the union of states upon which each state is dependent, but do not specifically bar the activities of the Communist Party as a political party in Florida in support of certain issues and of candidates who are not members of the Communist Party,

NOW, THEREFORE,

Be it enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (6) of section 97.021, Florida Statutes, is amended to read:

97.021 *Definitions.*—The following words and phrases, etc. . . .

(6) (a) Any group of citizens may organize as a political party if the general purpose of the organization is for election to office of qualified persons, and the determination of public issues under the accepted democratic processes of the United States, unless such organization shall be a part of, affiliated with, or under the direction or domination of the Communist Party, U.S.A. or a political organization having been found by the Subversive Activities Control Board of the United States, Attorney General of the United States, or Committee of the Congress of the United States to be controlled, directed or dominated by the Communist Party, U.S.A. or the Communist Party of any other nation or country.

Section 2. This act shall take effect immediately upon becoming a law.

Interim Report

March, 1964

The members of your Florida Legislative Investigation Committee are keenly aware of the responsibility imposed upon them by the broad mandate of the 1963 Legislature and have worked diligently to serve fully and well the charge given them and the interests of our state and its citizens.

The Committee is charged by the Act adopted by the Legislature with investigation of:

"all organizations whose principles or activities include a course of conduct on the part of any person or group which would constitute violence or a violation of the laws of the state, or would be inimical to the well-being and orderly pursuit of their personal and business activities by the majority of the citizens of this state, as well as the extent of infiltration into agencies supported by state funds by practicing homosexuals, the effect thereof on said agencies and the public, and the policies of various state agencies in dealing therewith."

Your Committee has been, and is, particularly mindful that we function for the specific and stated purpose "of reporting to this Legislature of the activities of such organizations to the end that corrective legislation may be adopted if found necessary to correct any abuses against the peace and dignity of the state."

In keeping with that mandate, we anticipate presenting to the members of the 1965 Legislature a full legislative program based on careful investigation and factually documented findings in a number of areas of general concern.

At the Committee's organizational meeting in August, the resignations of the staff which had served its predecessor, and which had been temporarily retained to assure continuity, were accepted. Representative Richard O. Mitchell was

elected chairman and Senator Robert Williams was elected vice-chairman.

At that organizational meeting, all members concurred that careful study should be given to the course of conduct for this biennium and to the selection of staff to serve to translate the Committee's will to action. In September, the Committee spent a full work week in Washington and Chicago, conferring with officials of key federal agencies and committees of the Congress having responsibilities in our areas of interest, and with leaders of major private organizations concerned with subversive activities.

On that trip we heard what our subsequent investigations have confirmed: That there exists today a major emphasis on the part of the Communists and their allies to move boldly into the academic and political mainstreams of American thought and life; that this movement gains impetus by the actions of extremists of both left and right whose actions, however sincerely motivated, serve well the purposes of those who would subvert the freedoms which are the American heritage.

We were further made aware of that which our predecessors had come to know well: That the very freedoms with whose preservation we are concerned would be invoked in an effort to either thwart or neutralize constructive activities on our part.

The counsel of wise and experienced individuals caused us to return to Florida with, if possible, a deeper dedication to securing the State of Florida against the thrusts and parries of those who would take advantage of our laws and these times to weaken the structure of our government and the moral forces which sustain it.

We believe, and expect to present public evidence at a later time, that in Florida at present there exists a handful of organizations so obsessed by allegiance to false causes and craven credos as to pose an abuse against the peace and dignity of the state.

We further believe that there are some organizations which, while engaged in activities and espousing belief dis-

tasteful to many citizens, are operating in a legal and forthright fashion.

Our report, as the hearings which will precede it, will seek to deal fairly with the organizations and individuals in both of these categories, and to be oriented to lasting legislative contributions of meaning to the state.

To achieve this goal, we adopted a new concept of staff organization, providing for an overall staff director coordinating the efforts of a small basic staff and contract investigators serving on an "as-and-when-needed" basis.

After a prolonged and detailed search, which literally encompassed the country and which caused us to interview some half dozen prospects, we found in Florida a staff director possessed of high qualifications. He is John E. Evans, a man well acquainted with Florida and its people, and possessed of experience at high administrative levels of both the state and federal governments and who has gained a national reputation for his pioneering efforts in the field of Cold War Education.

As legal counsel, the Committee was fortunate to benefit from the dedication of Leo Foster, one of Florida's most distinguished attorneys, whose confidence in our activities is such that he has expressed a desire to serve our needs at no fee for advisory services and only minimal charges should we become involved in litigation.

To serve as chief investigator, the Committee retained C. Lawrence Rice, who retired recently after 28 years service with the Federal Bureau of Investigation where his services, both in and out of this country, particularly well equipped him to make inquiry into matters of interest to the Committee.

Although much time was taken up by the selection of this staff, updating of the Committee's files, establishment of meaningful liaison with law enforcement agencies and other cooperating organizations in and out of Florida, and with the housekeeping chores, such as the development and adoption of the operating budget attached hereto, we have made certain solid accomplishments which we report with pride:

1. We have prepared, and enclose for your study, a well documented report on the nature and extent of homosexuality in Florida—suggesting both a massive program of public education and steps for legislative action toward realistic laws for its control. In conjunction with a committee of experts we are now assembling, we will continue to develop and refine recommendations for action in this area, and have been gratified to receive support for our educational efforts from such organizations as the Florida Federation of Women's Clubs.

2. We have prepared, and enclose for your consideration, a fingerprint bill, formalizing procedures for the proper identification of all who receive compensation from the state. This measure is as much protection for Florida's employees as for the agencies for which they work, and we commend this measure to your attention and seek your comments on it.

3. We have adopted a set of Rules of Procedure, which are enclosed for your information, guaranteeing to all who appear as witnesses before the Committee protection in keeping with the guarantees of the Constitution and the freedom of citizenship.

4. We have drawn upon the files of the Committee and the talents of its staff to provide assistance to the State Department of Education, the Board of Control, several institutions in the university system, and a number of law enforcement agencies. Our assistance has been timely and, from the comments we have received, of significant value to the recipients.

5. We have discussed with Superintendent Bailey our concern for a more efficient and effective means of investigating allegations of homosexuality involving teachers in the public school system. The attached copies of correspondence between our staff director and Mr. Bailey reflect the present status of the continuing and cooperative effort we have undertaken with the State Department of Education to assure protection of the innocent and speedy action against the guilty.

The committee has a broad range of investigative activity underway, adhering to policies adopted during the eight

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

formal meetings it has held thus far in the biennium. Although we have retained a professional staff and determined to leave staff operation generally within their discretion, each member is kept fully informed of the activities of the Committee by means of a weekly staff report, and no new investigations are undertaken or major deviations from policy permitted without full Committee concurrence.

Because we deal with the lives of men and women of our state, and because our inquiry into the activities of certain organizations is subject to misconstruction in the press and in the minds of citizens generally, we have chosen to conduct the investigative phase of our operations without public disclosure of its nature and through executive sessions of the Committee. When supposition is supplanted by fact, we shall air our investigative results through proper public hearings and reports in keeping with our rules. Pending that time, we feel it is far better to be criticized for secrecy than to unjustly malign the name and reputation of even one individual by virtue of our inquiries.

In this year when the Communist Party of the United States feels free to solicit speaking appearances on the campuses of our universities; when its leaders feel they can, with impudicity, seek to place candidates on our ballots; and when on every hand we see laws flaunted by individuals who believe that the cloak of "civil disobedience" can obviate the necessity of respect for law, we believe there exists a need for our laws to be as staunch as their defenders; to be modified to meet the attacks upon them; and that from this need do we draw the meaning and full justification for this Committee.

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

February 11, 1964

Honorable Thomas D. Bailey
State Superintendent of
Public Instruction
The Capitol
Tallahassee, Florida

Dear Tom:

As we have discussed, the Florida Legislative Investigation Committee has been concerned with the magnitude of the task facing the State Department of Education and the State Board of Education in the investigation and disposition of allegations of homosexuality involving teachers in Florida public schools. We understand that there are some eighty cases pending now before the State Board of Education, and information in our files worthy of inquiry involves upwards of a hundred employees of institutions of public education.

At the request of the State Department of Education, the predecessor to this Committee performed investigative services for the Teacher Certification Division of the Department during the past several years. Although the Committee will continue to offer direct assistance to this Division and intends to be most active in seeking control of dangerous homosexual practices within the state, we cannot provide the nearly full-time attention to this problem that its gravity demands.

In reviewing the present status of the handling of these matters, the Committee has come to share your belief that a serious need of the State Department of Education is for staff level activity within the Teacher Certification Division by personnel competent to both investigate allegations against teaching personnel and to prepare the necessary legal documents essential to consideration of charges by the State Board of Education.

At its meeting January 29, 1964, at the Capitol, the Committee by motion instructed me to forward to you its recommendation that the State Department of Education at the earliest practicable time employ an individual with strong

legal background and investigative experience to serve in the Teacher Certification Division or other appropriate place in the organizational structure of the State Department of Education, whose function it should be to provide necessary investigative and legal services to make possible prompt and fair disposition of allegations of homosexual activity or other misconduct against members of the teaching profession in Florida.

The recommended activity was contemplated by the Legislature in Chapter 231.24(3), Florida Statutes, and we construe its performance to be a proper responsibility of your office under the provisions set forth in Chapter 229.15, 229.16 (2) (6), and 229.17(13), thereby making appropriate a deficit appropriation to provide for the creation of the position and prompt commencement of the activities contemplated.

The Committee further directed us to be of such assistance as you may request in the recruitment of individuals for your consideration as prospective employees in this position, which we shall be glad to do upon the determination of your requirements.

Let me emphasize that this recommendation in no way indicates a lessening of the Committee's interest in this area of its legislative mandate, but rather a determination that its activities for the development of information indicative of the need for new or amended legislation meet fully the requirements imposed by the members of the Legislature in creating it, and a recognition that total activity in but one area would require bypassing many areas of importance.

If we may be of service to you, the Department or the State Board of Education in this or any other appropriate connection, you have but to call upon us.

Cordially,

John E. Evans
Staff Director

JEE/mh

Cc: Members, F.L.I.C.

February 25, 1964

Mr. John E. Evans
Staff Director
Florida Legislative Investigation Committee
P. O. Box 1044
Tallahassee, Florida

Dear John:

I have given a great deal of thought to your letter of February 11 relative to the State Department of Education assuming the responsibility for the investigative and legal services in connection with a fair disposition of allegations of homosexual activities or other misconduct against members of the teaching profession in Florida.

As you well know, the Florida Education Association had a bill passed in the 1963 session of the Florida Legislature titled "Professional Practices Act." They have recently organized this Commission and I presume will be in business soon. One of the functions of this Commission is to do the investigative work involving members of the teaching profession in Florida. My feeling now is to give them an opportunity to function in this capacity since they will take recommendations to the State Board of Education; too, they have been granted subpoena powers under this law. Even if the State Department of Education were to assume responsibility for investigative work, I doubt that we would have any subpoena powers and I question that any one man employed for investigative purposes could possibly consider as many cases as the Commission established by the FEA where all of the profession becomes involved in such investigative procedures or, at least, has the responsibility for preferring charges against members of the profession to the FEA Commission.

My problem is not so much the investigative procedure as it is the legal help needed to process all of the cases which are referred to us from the respective counties in order to have them properly submitted to the State Board of Education for action. In reply to your letter, therefore, I would say that I believe it is the better part of wisdom to allow the Professional Practices Commission of the FEA to function

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

for at least a year to prove themselves. The State Department of Education must assume the responsibility for processing all cases referred to the State Board of Education for action. This in itself, in my opinion, is going to require the full time services of a person with some legal background.

I suggest that we work under these conditions at least until the next session of the Legislature and then determine how we should proceed in this endeavor.

With kind personal regards, I am

Cordially yours,

Thomas D. Bailey

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

February 27, 1964

Honorable Thomas D. Bailey
State Superintendent of
Public Instruction
The Capitol
Tallahassee, Florida

Dear Tom:

Thank you for your complete and courteous reply to our letter of February 11, and for the continuing concern you express for the prompt and adequate handling of allegations of misconduct affecting teachers in the public schools of Florida.

As you know, the Committee's recommendation sprang from our discussions with you and with Dr. Kelley resulting from our recognition of our inability to meet the responsibilities of our legislative mandate while continuing to provide the State Department of Education the extensive services it had requested during the prior bienniums.

Whether or not an investigative problem exists that can best be handled by the new Commission established under the Professional Practices Act, or whether there exists a need for direct Department of Education involvement as envisioned in our recommendation is a decision you are assuredly best equipped to make, but the fact remains that we are in possession of lists developed by employees of our predecessor Committee naming approximately one hundred teachers against whom allegations of moral misconduct had been made or who were believed by the staff of the predecessor Committee on the basis of other investigative activities to warrant inquiry. We are anxious, as we know you to be, that any cloud of doubt or suspicion hanging over these individuals be promptly dispelled by factual information.

We hope that you will convey to the Professional Practices Commission our desire to be of any assistance within our means, our readiness to make available the names to which I have referred, and any other appropriate information pertinent to investigations undertaken by the Commission. Please

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

convey also the desire we have expressed to your department to be kept informed of the progress made in this field because of its bearing on our consideration of additional or revised legislation in this important area to assure the security of our citizens and the continuance of a high moral climate in our state.

Sincerely,

John E. Evans
Staff Director

JEE/mh

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

A BILL

TO BE ENTITLED

AN ACT relating to the fingerprinting of State Employees; defining employees to be fingerprinted; requiring fingerprinting as a condition of employment; providing procedures for the taking and filing of fingerprints; establishing the responsibility of Administrators of State Agencies; making fingerprint reports confidential, and providing an effective date.

WHEREAS, fingerprints serve as irrefutable and universally accepted means of identification, and

WHEREAS, the central fingerprint files maintained by the Federal Bureau of Investigation receive contributions from law enforcement agencies in every area of the nation and serve as central depository for information on criminal charges or other illegal activities, and

WHEREAS, fingerprinting has become an accepted preliminary to employment by the Federal Government, by leading business firms and public agencies, carrying with it neither stigma nor hint of accusation, and

WHEREAS, Florida, by administrative order, has, since mid-1962, had in effect a fingerprint requirement for all employees, and

WHEREAS, under this administrative policy more than fifty thousand (50,000) state employees have been fingerprinted, with review of the fingerprints obtained revealing that approximately ten percent (10%) of these employees had enforcement agency records, many not serious in nature and already known to the employing entity, and

WHEREAS, the experience of this administrative program has established its worth as a prudent employment policy for which legislative provision is desirable,

NOW, THEREFORE,

Be it enacted by the Legislature of the State of Florida:

Section 1. After July, 1965, no person shall be employed by the State of Florida who has not provided through the

employing entity of the State on an approved form issued through the Florida Sheriffs Bureau a set of fingerprints together with name, date of birth and social security number.

Section 2. As used in this Act, the terms "employee" and "employed by the State" shall mean any individual drawing compensation in the form of a State warrant, whether for full or part time services, and/or any individual making contributions to one or more of the retirement funds created and administered under the laws of Florida, and/or any individual holding a commission providing for service on any board, bureau or commission provided for by the laws of Florida as part of state government.

Section 3. The Florida Sheriffs Bureau is designated as repository for fingerprint records and as agent of the State in securing the review of employee fingerprints by the Federal Bureau of Investigation or other appropriate agency, and is charged with providing the employing entity, through a staff officer designated by the head of the agency, with the results of the review of each employee's fingerprints, and with information subsequently obtained as a result of fingerprint identification.

Section 4. The information contained in such reports shall be confidential and regarded by the Sheriffs Bureau in the same light as other records secured from cooperating enforcement and investigative agencies, and under no circumstances shall the information developed through employee fingerprints be made public by the Sheriffs Bureau. Any personnel action based on information so obtained shall be solely that of the entity in which appointive or employment power is vested.

Section 5. In the event of resignation, retirement, transfer or other separation of the employee, the employing entity shall file with the Florida Sheriffs Bureau an approved form providing basic information on the date and nature of the separation of the employee, in order that the fingerprint record files may be kept current. This form shall be furnished at the time of issuance of the final salary warrant for a salaried employee, and a copy furnished the Comp-

troller's Office, without which the final warrant shall not be issued.

Section 6. In the case of employees entering, re-entering or transferring within state service:

(1) New employees shall be fingerprinted and the form forwarded to the Florida Sheriffs Bureau prior to submission of the first payroll voucher on which the employee's name appears. A copy of an approved transmittal form for the fingerprints shall be furnished the Comptroller's Office with the first payroll voucher on which the employee's name appears, without which no warrant shall be issued.

(2) Employees re-entering state service or transferring from one employing entity to another, who have been previously fingerprinted, shall provide on an approved form a single thumbprint, name, date of birth and social security number, which shall be forwarded to the Florida Sheriffs Bureau for reference and record. A copy of the approved transmittal form for this information shall be furnished the Comptroller's Office with the first payroll voucher on which the employee's name appears, without which no warrant shall be issued.

Section 7. The forms provided for in this Act shall be promulgated by the Florida Sheriffs Bureau and approved by the Governor and Cabinet of Florida.

Section 8. This Act shall take effect immediately upon becoming a law.

**Background Information
on
THE NATIONAL
STATES RIGHTS PARTY**

A Service to Florida Officials
of the
FLORIDA LEGISLATIVE INVESTIGATION
COMMITTEE

Post Office Box 1044
Tallahassee, Florida

Preface

July 31, 1964

The Constitutional rights of the States and freedoms of the individual citizens are vital and legitimate concerns affecting all segments of our society and all levels of our governmental structure.

Unfortunately, however, they also serve as a screen for the perverse peddlers and preachers of hate who seek to serve their own ends under the guise of representing the views of responsible citizens. They clothe their totalitarian dogma in the garb of freedom, and sugar-coat their vicious aims with slogans designed to appeal to citizens disturbed by the actions of government or of the more outspoken representatives of contrasting areas of political thought.

Today's hawkers of hate have made capital of hiding behind the facade of conservatism and waving the banner of anti-communism. With their bigotry thus cloaked, they have made converts who unwittingly serve to undermine the very causes in which they devoutly believe, and those activities cannot but lend aid and comfort to the apostles of Soviet Socialism and the International Communist conspiracy for totalitarianism is totalitarianism no matter how it is disguised.

In a recent speech, F.B.I. Director J. Edgar Hoover listed some of those groups he construed to be enemies of our Republic, and, after noting the intent and effort of the Communists to move in on the civil rights movement in America today, he said of the hate-mongers:

"Nowhere in recent months have our people faced a more explosive condition of shame and violence than among the hatemonger, the moral degenerates, the lunatic fringe, and the other irrational fanatics who preach a doctrine of hostility toward their fellow man. This rabble has sown the dragons' teeth of malice and intimidation."

Neither the participation in, nor the support of, good conservative or active anti-Communist movements by Floridians ought to be warped by the activities of a limited number of organizations and individuals such as those falling under Director Hoover's definition.

It is for this reason that the Committee calls to your attention the activities of one organization whose name we believe to be misleading, and whose principles we believe to be contrary to the precepts of good citizenship.

July 22, 1964

THE NATIONAL STATES RIGHTS PARTY

The name of the National States Rights Party is being heard in many areas of Florida today. In connection with racial violence in St. Augustine and Klan organizational activities in several areas of the state, its name has been noted and its materials have been found.

Two men, J. B. Stoner, a Georgia attorney best known for his defense of Klan members, and Conrad (Connie) Lynch, who claims to be representing the Christian Defense League, a California organization, have both affiliation and representation of the NSRP in their repertoire of Florida activities.

In addition, Florida voters are currently being asked to sign petitions to their county supervisors of registration and to the Secretary of State for the purpose of having placed on Florida's general election ballot the name and candidates of the National States Rights Party.

The procedure employed is in conformance with Chapter 103.021, Florida Statutes, and in at least one county a sizable number of electors have signed petitions that have been turned in to the Supervisor.

In seeking signatures on the petitions, representatives of the National States Rights Party are suggesting that their organization offers a legitimate outlet for the voters who find representation of their philosophies lacking in the platforms of the Democratic and Republican Parties. Heavy emphasis is placed upon the racial issue and the emotional overtones it generates.

The petitions are sent out by Dr. Edward R. Fields from the National Headquarters of the NSRP at Birmingham, Alabama. Fields is listed on the organization's letterhead as Information Director, and his letter indicates that the Florida segment of the Party is headed by Dewey M. Taft of Tampa.

Mr. Taft publishes a monthly newsletter under the title, "The American Digest," the June issue of which featured

items headlined "Gov. Farris Bryant, Liar and Betrayer," and "Police Refuse F.B.I. Orders to 'Shoot to Kill.'" Mr. Taft has said that he wishes it to be made clear "that I accept no responsibility for the policies of the National States Rights Party which are set by the National officers in Birmingham, Alabama, nor for anything appearing in *The Thunderbolt*, the party organ published in Birmingham." He has stated his position as Florida State Chairman for NSRP is "temporary" and will "expire" December 31, 1964.

Candidates of the National States Rights Party are John Kasper of Nashville, Tennessee, for President; and J. B. Stoner of Mableton, Georgia, for Vice President.

Evidence that the NSRP candidates are receiving serious attention is reflected in the success of the Party in securing places on the Kentucky and Arkansas ballots for November. For the benefit of Floridians approached by this group for votes and funds, a brief summary of its operations and personnel has been prepared from the files of the Legislative Investigation Committee.

The National States Rights Party claims it is "America's Largest Third Party," and says it is the "only national, right-wing, third party in America which will be on the ballot in 1964."

The "Prairie Fire," official publication of the National States Rights Party of Illinois, laid claim in its April, 1964, edition to over 214,000 votes cast on behalf of the Party in the 1960 presidential election. The Associated Press, however, in a story published across the nation on December 18, 1960, said the NSRP garnered only 44,977 votes for its slate. This placed it far behind the unpledged elector slate of the separate Louisiana States Rights Party, which polled 169,572 votes (now apparently counted by NSRP to get its 214,000 total). The nearly 45,000 votes for the NSRP came from Alabama, Arkansas, Delaware and Tennessee and ranked it among the splinter parties of the country. Just behind the Socialist-Labor Party and the Prohibition Party, according to the AP figures.

The National States Rights Party came into being in the early months of 1958, based on tenets of white supremacy

and anti-semitism. It was created and has been managed by an amalgamation of leaders formerly connected with organizations such as the United White Party, Christian Anti-Jewish Party, Real-political Institution, various Ku Klux Klans and the Columbians. At the time of its creation, one of the founders wrote a supporter that "the name NSRP will sound so mild that a man belonging to it will not worry about losing his job, but at the same time our program is much more effective." In explaining the difference between the NSRP and the movements from which it was carved, this founder said:

"We have 'watered down' the National States Rights Party to a rather dangerous level. This was done in order to allow the organization to become a truly mass movement, thus giving us one year to indoctrinate our following with the full meaning of this White Nationalist movement. Without *The Thunderbolt* we are just another Klan or White Citizens Council."

The "thunderbolt" referred to is the official symbol of the NSRP, and reproduced prominently on its letterhead and much of its literature. It was originally adopted as the symbol of an Atlanta hate organization called the Columbians, which disbanded after charges of subversion. The monthly publication of the NSRP, edited by Edward Fields, is named *The Thunderbolt*.

It is apparent that the National States Rights Party, while originating in the South, has spread widely in its brief existence. There is evidence to indicate it has active workers in fifteen to twenty states, including a number in the mid and far West.

Its appearance in 1963 in California led to a review of its activities by the Senate Factfinding Subcommittee on Un-American Activities of the California Legislature. This Committee found and reported that the NSRP "is, in our opinion, more potentially dangerous than any of the American Nazi groups."

Some leaders of the organization appear at meetings and demonstrations in the NSRP uniform, a military-style outfit

reminiscent of Hitler's storm troopers and replete with the thunderbolt device on an armband. Illustrations of this from NSRP publications are included in the exhibits attached at the conclusion of this report.

In addition to *The Thunderbolt*, the NSRP offers a variety of literature to its supporters, illustrative of which is the flyer, "Jew Communists Behind Race Mixing," a two-sided leaflet "showing the Jews who founded Communism on one side and a Negro attacking a white lady on the other. A real shocker." Copies of this flyer have been distributed in St. Augustine in recent weeks.

Like all extremist organizations, the NSRP voices constant pleas for funds. While pointing out that the NSRP membership and support are making "tremendous gains," Dr. Fields has written his "fellow white patriots" that

"for some reasons funds have been coming in very slowly . . . the cost of sending teams of trained members into various states to help collect thousands of names necessary to place the NSRP on the ballot requires a great deal of money."

In a letter postmarked from the Party's headquarters in Birmingham July 6, 1964, Dr. Fields said that:

"at this very moment we have only about \$600.00 on hand in the headquarters account. Our budget at H.Q. calls for a minimum of between \$4,000 and \$5,000 per month just to pay postage, printing, paper, overhead, which alone runs into thousands of dollars monthly, not counting organizational expenses. What we are able to do this summer, to repeal the Civil Rights Bill, place our ticket on the ballot, etc., etc., depends upon your loyal and faithful support."

The NSRP nominated Kasper and Stoner at its National Nominating Convention held in Louisville, Kentucky, on March first of this year. On either side of the hall at the Sheraton Hotel hung large banners proclaiming "Jews Behind Racemixing" and "Keep America White."

It is of interest to note that the Communist movement never misses an opportunity to picture the activities of such extremist organizations as being typical of true conservative groups, and that much of the attention focused on the NSRP convention came from a line of biracial pickets parading outside the hotel under the leadership of Carl Braden, who has been identified before investigating committees in sworn testimony as an active U. S. Communist.

In other years, the NSRP has sought to support Governor Orville Faubus and Senator Strom Thurmond for national office, but has been rebuffed by these two leaders. Fields has written that these two are:

"part of the old, corrupt, two-party system . . . and are basically loyal to their own entrenched political party machine."

The Thunderbolt reported the NSRP conviction that "any old-party politician, or his corrupt party machine, or his philosophy of sell-out and compromise will never carry our nation to the new national rebirth which we seek." The NSRP has described President Johnson as "the hollow pumpkin on a pole who is in the White House . . . dedicated to stupidity and treachery."

To oppose Johnson, the NSRP selected John Kasper, a New Jersey native, graduate of Columbia University, one-time bookseller and now a Nashville automotive service center operator. Kasper has spent nearly three of his thirty-five years in prison as a result of racist activities. In 1956, he gained national headlines for his disruptive activities in racially torn Clinton, Tennessee, and became a hero of the white supremacy movement through his leadership of the Seaboard White Citizens Council.

In 1957, Kasper's image as an ardent segregationist faded when he was questioned by the Florida Legislative Investigation Committee about the activities in Florida of the Seaboard Council. He admitted under oath frequent and close association with Negroes until just prior to his Clinton appearance. He admitted hosting interracial parties at the Greenwich Village bookstore he operated in New York and

frequently dancing with and dating the young Negro women who made his shop a hangout.

Newspaper stories from New York at the time told of Kasper's close relationship with and near worship of Ezra Pound, the poet whose insanity and confinement to a Washington, D. C. hospital prevents prosecution on an indictment of treason returned against him as a result of his World War II activities. They told, too, of his relationship with Florette Henry, a then nineteen year old Negro girl who worked part-time in his bookstore. She told reporters of Kasper taking her to meet Pound at St. Elizabeth's hospital and of her dates with him, which included beach parties and his exhortation to a mixed group in September 1955, to join the National Association for the Advancement of Colored People, a group he now denounces.

As a result of the revelations before the Legislative Committee, Kasper's support crumbled. He later served time at the Federal Correctional Institution at Tallahassee as a result of his activities at Clinton, and, since his release several years ago, has been in relative seclusion in Nashville.

Jessee Benjamin Stoner, the vice presidential nominee of the National States Rights Party, is a Georgia attorney best known for his defense of Klansmen and other extremists involved in racial or anti-semitic incidents. He is in his early forties and has a long career of association with racist organizations.

He was at one time was identified as the "archleader" of the Stoner Anti-Jewish Party, and of the Christian Anti-Jewish Party. He has been identified as a one-time Imperial Wizard of the Christian Knights of the Ku Klux Klan and as Klegal of the Tennessee Klan.

The Stoner Anti-Jewish Party was reported in 1947 to have circulated widely a promotional card which contained statements by Archleader J. B. Stoner, including:

"The Stoner Anti-Jewish Party is a political party whose main and primary objective is to serve Christianity and America by obtaining passage of proper laws or Constitu-

tional Amendments making it unlawful and impossible for Jews to live in North America.

"The Stoner Anti-Jewish Party believes that North America is for white gentiles only. It believes in white supremacy. It definitely proposes that all niggers in North America be lawfully resettled in Africa with better living conditions in Africa than here. It believes that all Orientals should be resettled in the Orient."

In 1944, Stoner addressed a petition to the U. S. House of Representatives urging that body to pass a "resolution recognizing the fact that the Jews are the children of the devil, and that, consequently, they constitute a grave menace to the United States of America."

In July 1946, Stoner granted an interview to the *Atlanta Constitution*, in which he stated his belief that Hitler had been too moderate. He told reporter Jim Furniss that he and his associates were planning a new political party and that they planned to be "more modern" in wiping out all Jews except those who might espouse Christianity." The essence of his new party, he was quoted as saying, was "to make being a Jew a crime punishable by death."

Stoner has been much in evidence in Florida since June, both as defense counsel for Jacksonville Klansmen accused of setting off a dynamite charge at the home of a Negro boy who had been admitted to a formerly all-white school (the case ended in a mistrial resulting from a hung jury and has been re-scheduled for the fall), and as principal speaker and organizer of segregationist rallies at St. Augustine. He has also been speaker at a number of Klan rallies in the north-east Florida area.

Edward Fields, the principal drum-beater for the Kasper-Stoner ticket, is a trained chiropractor now in his early thirties, whose history as an agitator extends back to his teen-age years.

He has been associated with Stoner in the Christian Anti-Jewish Party, and was a leader in the defense effort and fund raising for attorneys' fees for John Kasper. Other organizations to which he has been linked include the National Citi-

zens' Protective Association of St. Louis, and several divisions of the Klan. He was a key leader of the United White Party, a forerunner of the NSRP, which was merged with it in September 1962. Fields has held several NSRP offices, the latest of which is his current role as Information Director. Fields is not known to have been in Florida recently.

Also active in Florida at the present time, although claiming no association with the NSRP is Charles Conley Lynch, who identifies himself as the Reverend Connie Lynch. He has been active in California as an organizer for the National States Rights Party, but claims current affiliation with the Christian Defense League, a chapter of which he now seeks to establish in St. Augustine. Headquarters of the Christian Defense League is 617 South Olive Street, Los Angeles, California. According to its publications, the Christian Defense League "was established as a vehicle for uniting white Christian Americans of all denominations for the defense of their faith and race against anti-Christian forces using the very freedoms granted under a Christian form of government to destroy the society which created those freedoms." The Christian Defense League claims to be active in a broad range of activities, including education, legal defense of white Christians in selected cases, investigation of alleged violations of members' rights, the issuance of "Christian Buyers Directories," and other similar activities. Annual membership in the organization is \$12.00, Life Membership \$100.00, and a Gift Endowment \$1,000.

Available information indicates that Lynch was born November 15, 1912, in Clarksville, Texas. His wife's name was Betty Ruth Lynch and he had been a laborer for the Lemon Exchange, Corona, California, prior to his involvement with various anti-semitic and white supremacist groups.

Lynch's arrest record indicates he has been arrested in 1956 for "failure to provide" and in 1963 for "assault with a deadly weapon." There is a record of conviction on the latter charge.

As Connie Charles Lynch he was arrested at San Bernardino, California on February 22, 1963, as the result of a fight at a local drive-in restaurant. The fight started when

Lynch and other members of the NSRP began to yell "Kill the Jews" and similar slogans. Lynch and his companions were wearing uniforms of the storm trooper variety.

Lynch identifies himself as a minister of the Church of Jesus Christ Christian. An organization by this name, which indicates on its Ministerial Certificates that it is incorporated under the laws of California, is headed by Dr. Wesley A. Swift, whose title is President. Wesley Swift was identified in the 1963 report of the Senate Fact Finding Subcommittee on Un-American Activities of the California Legislature as participant in a February 8, 1963, meeting of the National States Rights Party held in Los Angeles. The report describes Swift's participation in these words:

"Wesley Swift was the first speaker, and declared that his organization (The NSRP) paid no attention to laws; that it would decide which meetings would be broken up, and that no one could ever break up a National States Rights meeting."

Conrad Lynch attended this meeting and was identified as State Organizer for California for the NSRP.

Lynch holds a current Florida Driver's License (D-422420), issued to him at 107 East First Street, Jacksonville. The description furnished for this license is that of a white male, 5' 6½", 150 lbs., grey eyes and brown hair.

Lynch has been working closely with Halstead Manucey and J. B. Stoner in St. Augustine and has addressed a series of Klan meetings. He is accomplished at whipping a crowd into a riotous condition, as evidenced by his St. Augustine Slave Market appearances. His current visit to Florida is not his first, as he has made talks, nominally under NSRP sponsorship, in several areas of the state, and was featured speaker for a series of 1963 Klan rallies in Jacksonville.

Although in recent issues of *The Thunderbolt*, the NSRP has warned its members and sought to disassociate itself from such arms-bearing groups as the Minute Men, it issued a "States Rights Manifesto" in 1958, recommending that its supporters "arm themselves so that they will be able to de-

fend their families, homes and rights from political despots who are inciting violence on our once peaceful communities."

The National States Rights Party apparently believes it can muster the support of at least 7,500 Florida voters spread through at least thirty-four counties, as provided by law. Such a showing would far exceed the membership of NSRP in Florida, and means many who now are unfamiliar with the organization must lend it support.

Budget

January, 1964

The Committee, prior to staffing, contemplated several proposed budgets, but, because of the uncertainties of staffing and program, did not adopt a specific plan for expenditure of appropriated funds.

The staff reviewed and made limited analysis of the expenditures and proposals of the predecessor to this Committee, and estimated as far as possible those expenses incident to the program proposals developed for the eighteen-month period January 1, 1964, through June 30, 1965.

The budget adopted is the result of these efforts. We believe it to be realistic, that we can live within its bounds, and that there is a good likelihood that some funds will remain at the end of the biennium that will not have been expended if prudent management and careful control are our standards. The budget anticipates total expenditures of \$122,000. We are entering the New Year with just over \$124,000 remaining of the original \$155,000 appropriation. This provides a \$2,000 contingency for unforeseen needs.

1964-65 Budget

STAFF SALARIES\$ 48,450

Anticipates staff as now constituted, with salaries of Director and Chief Investigator at agreed upon rates, with provision for approximately 6.4% increase for secretarial staff effective July, 1964.

CONTRACTURAL SERVICES 16,000

Provides for retention of part-time investigative personnel as necessary, for court reporting of Committee hearings, and for secretarial or other necessary services to meet special needs of the Committee.

REPORT OF FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE

STAFF TRAVEL 15,000

Anticipates travel of Director and Chief Investigator, of additional investigative personnel, special witnesses, and others traveling at the behest of the Committee.

COMMITTEE TRAVEL 12,000

Predicated on the likelihood of fourteen Committee meetings and/or hearings during the eighteen-month period (the Legislature will be in session during two of these months, and a meeting in the month following the session is unlikely), for which transportation and per diem will be paid.

LEGAL FEE FUND 10,000

Although the consulting and advisory services of counsel are being contributed, any litigation will entail cost, and prudence dictates provision for such an eventuality.

PRINTING—PUBLICATIONS 9,000

The preparation and distribution of reports, hearings, and other related publications will enhance the usefulness of the Committee to the people of Florida and others interested in the subjects with which we deal.

COMMUNICATIONS 7,000

Anticipated to cover telephone, telegraph and basic postage costs for the eighteen months.

OFFICE SUPPLIES 2,570

Anticipates standard operating costs of the office, and the provision of such additional equipment as is necessary to modernize and make fully secure the files of the Committee.

UTILITIES AND JANITOR SERVICE 1,980

To meet the costs of electricity, gas (for heating), water, and a \$50 monthly contract-service Janitor fee.

CONTINGENCY 2,000

TOTAL \$124,000

Financial Report

APPROPRIATION \$155,000.00

EXPENDITURES

Staff Salaries	\$43,466.43
Contractual Services	18,531.84
Staff & Other Travel	10,333.65
Committee Travel	8,810.54
Printing—Publications	894.20
Communications	3,694.60
Office Expenses	5,427.46
Utilities & Janitor	831.76

Expenditures	
7/1/63 - 5/12/65	91,990.48

BALANCE OF APPROPRIATION \$ 63,009.52